

REMARKS

Applicant respectfully requests reconsideration of the present case in view of the above amendments and the following remarks.

Claims 33-36, 38, 40-52, and 54-57 are currently pending. Claims 41 and 54 have been amended. No new matter has been inserted. Claims 41 and 54 were simply amended for clarification.

Double Patenting

Claims 33, 35-36, 40-52, and 54-57 were rejected under the judicially created doctrine of obviousness-type double patenting over USPN 6,428,785. In response, Applicant submits herewith a terminal disclaimer, obviating this rejection. Applicant respectfully requests that this rejection be withdrawn.

New Objection

Claims 41 and 54 were objected to for reciting "alkylphenylpolyoxyethylene surfactant". Applicants respectfully traverse this rejection.

While not conceding the correctness of Examiner's position, Applicant has amended claims 41 and 54 to obviate the rejection. Specifically, claims 41 and 54 now recite "octylphenoxyethoxyethanol" as suggested by the Examiner.

Summary

In view of the above amendments and remarks, Applicant respectfully requests a Notice of Allowance. If the Examiner believes a telephone conference would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the below-listed telephone number.

Respectfully submitted,



11/22/04
Date

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